

**PERRY COUNTY BOARD OF COMMISSIONERS
MINUTES – JULY 18, 2012**

The Perry County Board of Commissioners met at 6:00 p.m. as was duly advertised. All three commissioners were in attendance: President Bill Amos, Louis Jody Fortwendel, and Thomas Hauser. A representative of the *Perry County News* was present along with County Administrator, Teresa Kanneberg, and County Attorney, Chris Goffinet.

The meeting opened with all reciting the Pledge of Allegiance.

PAYROLL

The payroll docket was approved in the amount of \$115,140.27 for the payroll distributed on July 16, 2012. Jody made a motion to approve the docket, and Tom seconded. Motion carried 3-0.

PETITION FOR REZONING – WAUPACA

County Attorney, Chris Goffinet, explained that Waupaca had asked to have certain land rezoned. The Perry County Plan Commission had given a favorable recommendation to the commissioners. The commissioners were here to decide whether the zoning of the property should be changed. The commissioners are not here to decide if a landfill can be built on the site. He explained that Waupaca must get a permit from IDEM, and they will decide if Waupaca is meeting all requirements regarding environmental issues such as water and air. It is not the commissioner's expertise or their job to grant an IDEM permit. The public will have other opportunities to speak at public hearings with IDEM. At the June 20th meeting the commissioners tabled this issue until Waupaca attorney, Mr. Tyler and attorney Mr. Shively and his clients could reach an agreement on certain promises that Waupaca was making concerning zoning. Chris stated that it was his understanding that the parties have reached an agreement.

Jim Tyler, Attorney for Waupaca, explained that an agreement had been reached by all parties and that an Agreement Imposing Restrictions on Use and Development had been recorded in the recorder's office today. The recorded document included the following issues: the footprint of the proposed mono fill will not exceed 75 acres of the 200 acres; Waupaca will have 120 days to establish what that footprint will be and within 120 days from July 18, 2012 Waupaca will file a petition with the Perry County Plan Commission to rezone said remaining acreage back to agricultural and conservation; Waupaca will only deposit foundry byproducts including foundry sand, foundry dust, and slag which are the same products presently placed in the existing site near Troy; monitoring wells pursuant to IDEM specifications will be placed on the property; access to the property will only be from New State Road 37 by way of a new access road constructed by Waupaca. Said road will be in place prior to the establishment of the mono fill, shall be paved and constructed in compliance with Perry County Highway Department standards; Waupaca will control dust, no smoke will be generated from the facility, no fly ash shall be deposited in the landfill; hours of operation will be Monday through Friday 7:00 a.m. to 5:00 p.m. and Saturday 7 a.m. to 12:00 p.m. and no mono fill operations will be done on Sundays or holidays; the covenants and restrictions shall run with the land in favor of all adjacent landowners and their successors in interest. Mr. Tyler stated that the documents had been prepared by Mr. Shively and Waupaca was in agreement to the restrictions.

Commissioner President, Bill Amos asked if anyone had anything new to present, reminding the crowd that IDEM will consider environmental issues. Kristina Longest presented the commissioners with a petition of people opposing the rezoning.

Commissioner Jody Fortwendel stated that he knows it has been an emotional issue and he appreciated everyone's input on the petition for rezoning.

Commissioner Tom Hauser stated he believes they have addressed everyone's concerns and issues and the details have been worked out. Changing the zoning is just the first battle for Waupaca.

Jody made the motion to approve the rezoning request from Agriculture and Conservation District to "I-2" Heavy Industrial District. Tom seconded the motion and motion carried 3-0. (See Attachment "A" Ordinance No. O-C-12-9)

BID – REMOUNT OF AMBULANCE

County Attorney, Chris Goffinet, reminded the commissioners that at their last meeting they had opened the one bid that was received for the remount of an ambulance. The bid was received from Rolland Specialty Vehicles and Products, Inc. in the amount of \$117,500.00. He explained that the commissioners had asked that local banks also provide financial options. The following bids for financing of the remount were as follows: Old National Bank 3year lease 2.47% interest rate; German American 3 year lease 2.24% interest rate and Lease One Magnolia LLC 3 year lease 3.73% interest rate. Jody made the motion to accept the bid from Rolland Specialty Vehicles and Products and also to accept the 3 year lease from German American with the lowest interest rate. Tom seconded the motion and motion carried 3-0.

TRANSFER

Connie Berger, Perry County Auditor, explained that since the commissioners had now accepted the bid on the remount of the ambulance the first payment will be due in 2012. She had prepared a transfer request within in the commissioner's budget in the amount of 40,044.00 from Ambulance Service to Ambulance. Jody made the motion to approve the transfer request, and Tom seconded the motion. Motion carried 3-0.

BUDGET REQUESTS FOR 2013

The commissioners had before them the following 2013 budgets to be approved: Commissioners budget in the amount of \$1,411,658 – Tom made the motion to approve the Commissioners budget and Jody seconded the motion. Motion carried 3-0. Courthouse budget in the amount of \$132,748 – Jody made the motion to approve this budget, and Tom seconded the motion. Motion carried 3-0. Perry County Animal Shelter budget in the amount of \$25,000 – Tom made the motion to approve the proposed budget and Jody seconded the motion. Motion carried 3-0. Bill mentioned that he had spoken with the president of the Perry County Animal Control Board and at this time they are not ready for the commissioners to present a budget request for 2013.

BUDGET APPROVAL FOR 2012 – HIGHWAY DEPARTMENT

Before the commissioners were the 2013 budget requests from the Highway Department as follows: Highway Administration \$194,449.00; Highway Maintenance & Repair, \$691,560.00; Highway General & Undistributed, \$897,311.00 for a total Highway Fund budget request of \$1,783,320.00; Local Road & Street Fund, \$49,532.00; Cumulative Bridge Fund, \$333,003.00; and Surplus Surtax & Wheel Tax \$350,000.00. Jody made a motion to approve the budget requests as presented. Tom seconded the motion, and motion carried 3-0.

Teresa announced that the next regular Board of Commissioners meeting will be on Monday, August 6, 2012 at 6:00 p.m. in the commissioner's room.

The meeting ended in open session at 6:30 p.m.

Minutes approved this 6th day of August, 2012.

Bill Amos, President

Louis J. Fortwendel

Thomas J. Hauser

Minutes prepared by:
Connie A. Berger, Perry County Auditor